

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

In re:	:	Chapter 11
ROUGE STEEL INDUSTRIES, INC., et al.,	:	Case No. 03-13272
ROUGE STEEL COMPANY,	:	
Appellant (Plaintiff-Below),	:	Civ. Act. No. 1:06-cv-250 (MPT)
v.	:	
OMNISOURCE CORPORATION – FORT WAYNE BROK,	:	
Appellee (Defendant-Below).	:	

**SECOND REVISED STIPULATION GOVERNING DEADLINES FOR FILING BRIEFS**

Rouge Steel Company (“Appellant”), appellant and plaintiff-below in the above-captioned appeal (the “Appeal”), together with Omnisource Corporation – Fort Wayne Brok (“Appellee”), appellee and defendant-below in the Appeal, hereby stipulate as follows respecting the deadlines for Appellant and Appellee to submit their respective briefs in the Appeal:

WHEREAS, on August 4, 2005, Appellant filed a Complaint To Avoid Certain Preferential Transfers, To Recover Property And For Related Relief, in the United States Bankruptcy Court for the District of Delaware, thereby initiating an adversary proceeding captioned *Rouge Steel Company v. Omnisource Corporation – Fort Wayne Brok (In re Rouge Steel Company)* (Adv. Proc. No. 05-52242);

WHEREAS, on September 6, 2005, Appellee filed the Answer And Affirmative Defenses To Plaintiff’s Complaint To Avoid Certain Preferential Transfers, To Recover Property And For Related Relief;

WHEREAS, on November 4, 2005, Appellant filed a Motion For Leave To File Amended Complaint;

WHEREAS, on November 14, 2005, Appellee filed a Response to Appellant's Motion For Leave;

WHEREAS, on November 30, 2005, Appellant filed a Reply to Appellee's Response;

WHEREAS, on January 19, 2006, the Bankruptcy Court entered the Memorandum And Order Denying the Motion For Leave, pursuant to which the Bankruptcy Court denied Appellant's request for leave to amend its Complaint;

WHEREAS, on January 27, 2006, Appellant filed a Motion for Leave to File Appeal Under 28 U.S.C. § 158(a), and a Notice of Appeal;

WHEREAS, on April 17, 2006, the United States District Court for the District of Delaware, entered the Order Granting Appellant's Motion to Appeal, and this Appeal was docketed the following day;

WHEREAS, on December 20, 2006, Ian Connor Bifferato filed the Notice Of Completion Of Mediation, certifying that Appellant and Appellee had attempted to resolve the Appeal through mediation, but such attempts had been unsuccessful;

WHEREAS, on January 3, 2007, the District Court entered the Order Setting Deadlines, pursuant to which the District Court directed Appellant and Appellee to submit a stipulated briefing schedule no later than January 16, 2007;

WHEREAS, on January 17, 2007, the District Court entered an order setting a briefing schedule in this matter; and

WHEREAS, on or about February 16, 2007, the parties agreed to revise the briefing schedule; and

WHEREAS, at the request of Appellant, the parties have agreed to a second revision of the briefing schedule, extending the deadlines by about one week.

NOW, THEREFORE, in consideration of the foregoing, Appellant and Appellee hereby stipulate as follows regarding the deadlines to govern the submission of briefs in this Appeal (the "Stipulated Schedule"):

1. Appellant shall file and serve its Opening Brief on or before March 9, 2007.
2. Appellee shall file and serve its Answering Brief on or before April 13, 2007.
3. Appellant shall file and serve its Reply Brief on or before May 11, 2007.

4. This Stipulated Schedule, and any Order approving the same, shall be without prejudice to Appellant's and/or Appellee's rights to request an extension of any of the deadlines set forth herein, either individually or jointly.

LANDIS RATH & COBB LLP



Daniel B. Rath (No. 3022)  
Rebecca L. Butcher (No. 3816)  
James S. Green, Jr. (No. 4406)  
919 Market Street, Suite 600  
Wilmington, DE 19801  
Telephone: (302) 467-4400  
Facsimile: (302) 467-4450

PEPPER HAMILTON LLP



David M. Fournier (No. 2812)  
James C. Carignan (No. 4230)  
Hercules Plaza, Suite 5100  
1313 N. Market Street  
P.O. Box 1709  
Wilmington, DE 19899-1709  
Telephone: (302) 777-6500

*Counsel for Appellant Rouge Steel Company*

-and-

BARRETT & MCNAGNY LLP  
Anne E. Simerman, #18885-10  
Thomas P. Yoder, #1429-02  
215 E. Berry Street  
Fort Wayne, IN 46802  
(260) 423-9551

*Counsel for Appellee Omnisource Corporation  
– Fort Wayne Brok*

Dated: March 1, 2007

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SO ORDERED this \_\_\_\_\_ day of March, 2007

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UNITED STATES DISTRICT JUDGE MARY PAT THYNGE